

MAY 27 2003

# COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (Includes Reference to PCT International Applications)

ATTORNEY'S SOCIETY  
NUMBER  
POLY 2

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## ENGINEERED RAILROAD TIES

the specification of which (check only one item below).

- ☐ is attached hereto.  
☒ was filed as United States application

Serial No. 09/985,937

on November 6, 2001

and was amended

on \_\_\_\_\_ (if applicable).

- ☐ was filed as PCT international application

Number \_\_\_\_\_

on \_\_\_\_\_

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application

I hereby claim priority benefits under Title 35, United States Code, [119 or 365 (b) of the following United States provisional application(s) and of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

### PRIOR U.S. PROVISIONAL AND FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

| COUNTRY<br>(if PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED<br>UNDER 35 USC 119                     |
|-------------------------------------|--------------------|--------------------------------------|--|
|                                     |                    |                                      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES <input type="checkbox"/> NO |

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint: William Milten (19,544); John L. White (17,746); Anthony J. Zelano (27,969); Alan E. J. Branigan (20,565); John R. Moses (24,983); Harry B. Shubin (32,004); Brian P. Heaney (32,542); Richard J. Traverso (30,595); John A. Supp (33,103); Richard M. Lebovitz (37,067); John H. Thomas (33,460); James E. Rutland (37,432); Nancy Axelrod (44,014); Jennifer J. Branigan (40,921); Robert E. McCarty, (46,044); and Jonathan G. Brown (47,451) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send Correspondence to: Customer No. 23599

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703/243-6333

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703-812-5308



23599

PATENT TRADEMARK OFFICE

**Combined Declaration for Patent Application and Power of Attorney (Continued)**  
 (Includes Reference to PCT International Applications)

 ATTORNEY'S DOCKET NUMBER  
**POLY 2**

|     |                         |                      |                          |                          |
|-----|-------------------------|----------------------|--------------------------|--------------------------|
| 201 | FULL NAME OF INVENTOR   | FAMILY NAME          | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY                 | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET               | CITY                     | STATE & ZIP CODE/COUNTRY |
|     |                         | Nosker               | Thomas                   |                          |
|     |                         | Stockton             | New Jersey               | United States            |
|     |                         | 4 Green Farm Lane    | Stockton                 | New Jersey 08559         |
| 202 | FULL NAME OF INVENTOR   | FAMILY NAME          | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY                 | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET               | CITY                     | STATE & ZIP CODE/COUNTRY |
|     |                         | Renfrec              | Richard                  |                          |
|     |                         | Scotch Plains        | New Jersey               | United States            |
|     |                         | 211 Katherine Street | Scotch Plains            | New Jersey 07076         |
| 203 | FULL NAME OF INVENTOR   | FAMILY NAME          | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY                 | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET               | CITY                     | STATE & ZIP CODE/COUNTRY |
|     |                         | Kerstein             | James                    |                          |
|     |                         | Watchung             | New Jersey               | United States            |
|     |                         | 30 Corey Lane        | Watchung                 | New Jersey 07060         |
| 204 | FULL NAME OF INVENTOR   | FAMILY NAME          | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY                 | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET               | CITY                     | STATE & ZIP CODE/COUNTRY |
|     |                         | Simon                | Louis                    |                          |
|     |                         | Branchburg           | New Jersey               | United States            |
|     |                         | 115 Readington Road  | Branchburg               | New Jersey 08876         |
| 205 | FULL NAME OF INVENTOR   | FAMILY NAME          | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY                 | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET               | CITY                     | STATE & ZIP CODE/COUNTRY |
|     |                         |                      |                          |                          |
|     |                         |                      |                          |                          |
|     |                         |                      |                          |                          |
| 206 | FULL NAME OF INVENTOR   | FAMILY NAME          | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY                 | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET               | CITY                     | STATE & ZIP CODE/COUNTRY |
|     |                         |                      |                          |                          |
|     |                         |                      |                          |                          |
|     |                         |                      |                          |                          |
| 207 | FULL NAME OF INVENTOR   | FAMILY NAME          | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY                 | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET               | CITY                     | STATE & ZIP CODE/COUNTRY |
|     |                         |                      |                          |                          |
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**Combined Declaration for Patent Application and Power of Attorney (Continued)**

(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER

POLY 2

|     |                         |             |                          |                          |
|-----|-------------------------|-------------|--------------------------|--------------------------|
| 208 | FULL NAME OF INVENTOR   | FAMILY NAME | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY        | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET      | CITY                     | STATE & ZIP CODE/COUNTRY |
| 209 | FULL NAME OF INVENTOR   | FAMILY NAME | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY        | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET      | CITY                     | STATE & ZIP CODE/COUNTRY |
| 210 | FULL NAME OF INVENTOR   | FAMILY NAME | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY        | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET      | CITY                     | STATE & ZIP CODE/COUNTRY |
| 211 | FULL NAME OF INVENTOR   | FAMILY NAME | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY        | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET      | CITY                     | STATE & ZIP CODE/COUNTRY |
| 212 | FULL NAME OF INVENTOR   | FAMILY NAME | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY        | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | STREET      | CITY                     | STATE & ZIP CODE/COUNTRY |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|   |                 |                           |      |
|---|-----------------|---------------------------|------|
| SIGNATURE OF INVENTOR 201<br><i>Thomas J. Miller</i>  | DATE<br>1/20/03 | SIGNATURE OF INVENTOR 207 | DATE |
| SIGNATURE OF INVENTOR 202<br><i>Michael L. Renner</i> | DATE<br>3/7/03  | SIGNATURE OF INVENTOR 208 | DATE |
| SIGNATURE OF INVENTOR 203<br><i>[Signature]</i>       | DATE<br>1/16/03 | SIGNATURE OF INVENTOR 209 | DATE |
| SIGNATURE OF INVENTOR 204<br><i>[Signature]</i>       | DATE<br>3/12/03 | SIGNATURE OF INVENTOR 210 | DATE |
| SIGNATURE OF INVENTOR 205                             | DATE            | SIGNATURE OF INVENTOR 211 | DATE |
| SIGNATURE OF INVENTOR 206                             | DATE            | SIGNATURE OF INVENTOR 212 | DATE |